

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

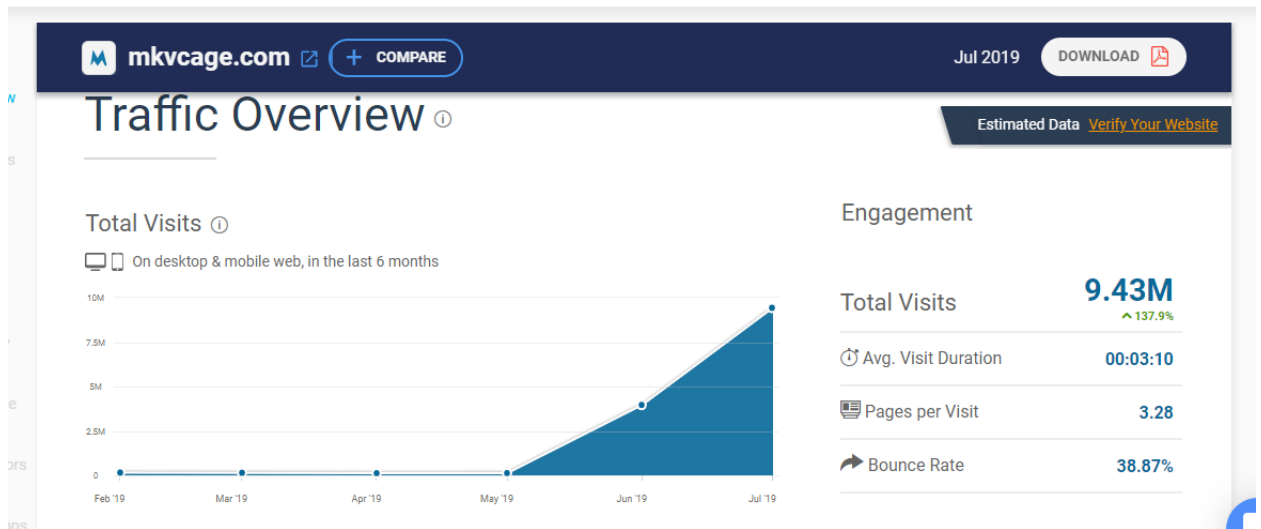
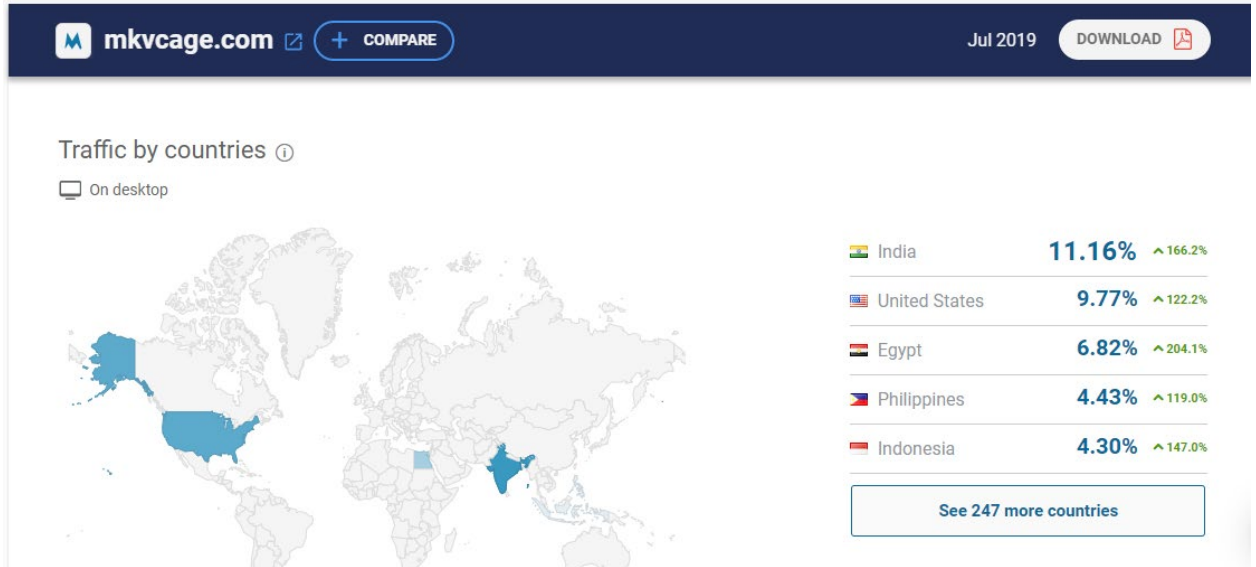
HB Productions, Inc.,)	Case No.: 1:19-cv-487-JMS-KJM
)	(Copyright)
Plaintiff,)	
vs.)	DECLARATION OF COUNSEL
)	
Muhammad Faizan, et al.)	
)	
Defendants.)	
_____)	

DECLARATION OF COUNSEL

KERRY S. CULPEPPER hereby declares under penalty of laws of the United States that the following is true and correct.

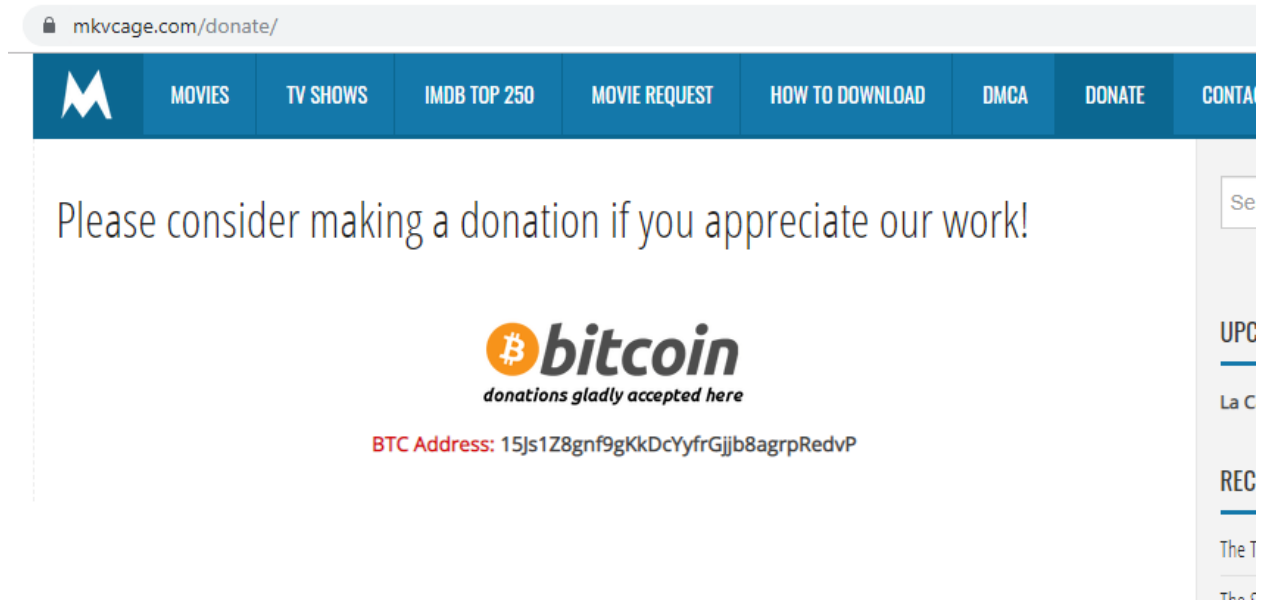
1. I am an attorney and represent the Plaintiff, I have personal knowledge of the matters stated herein.

2. On September 6, 2019, I used the website www.similarweb.com (“SimilarWeb”) to analyze the traffic of Defendants’ websites. I have used the website SimilarWeb in the past to analyze traffic of websites and have found it to be reliable. Below is a true and correct screenshot of the result returned when I entered mkvcage.com in the search bar.

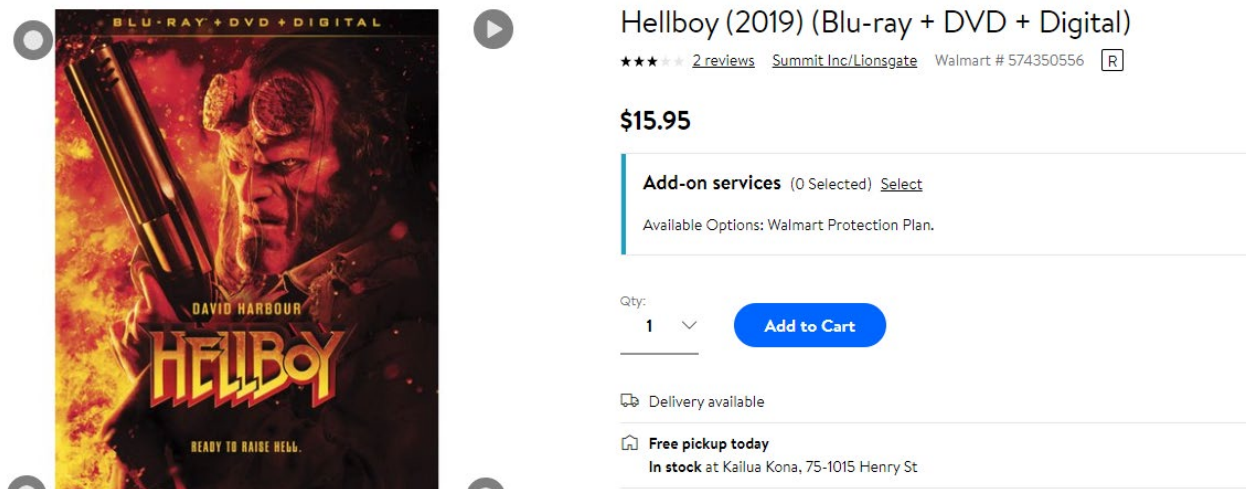


3. Exhibit “4” is a duplicate of document I received from Namecheap, Inc. in response to a request for identification information for the registrant of the website mkvcage.fun.

4. On September 6, 2019, I went to the website mkvcage.com/donate. Below is a true and accurate screenshot of how it appeared.



5. On or about January 22, 2020, I went to the website walmart.com to search for a Blu-ray copy of the motion picture. Below is a true and accurate screenshot of how it appeared.



6. On September 6, 2019, I went to the website for DMCA Agent directory at <https://www.copyright.gov/dmca-directory/> to search for whether the Defendant had a registered DMCA agent. Below is a true and accurate screenshot of a portion

of how it appeared.

Search the DMCA Designated Agent Directory

mkvcage Search

☐ Include Terminated Service Provider Designations

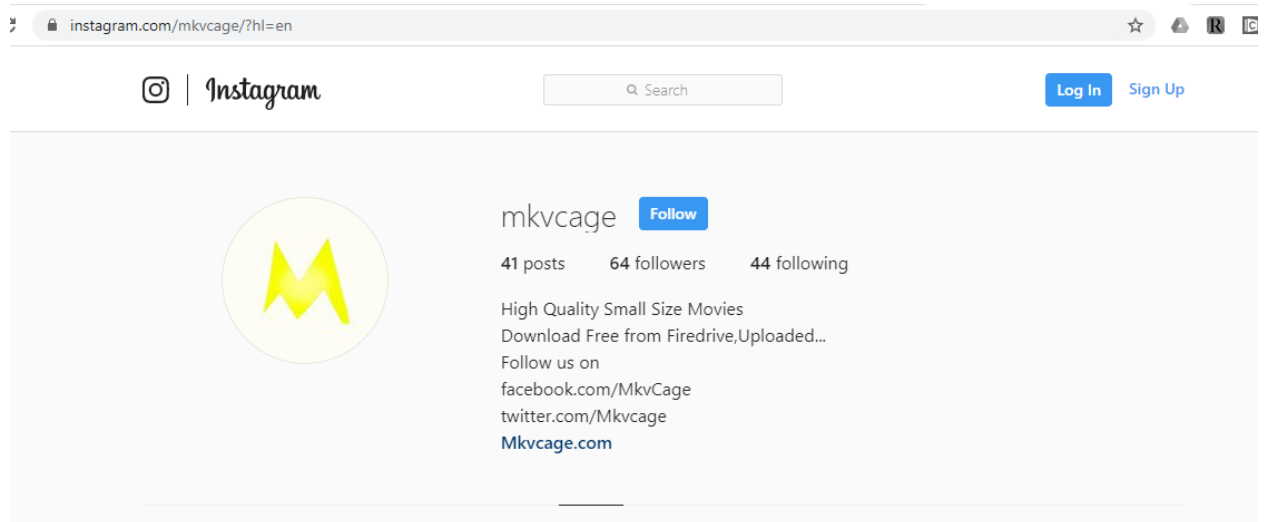
Search Results

Show 10 entries

Service Provider	Matching Alternate Names	Status
No Service Provider found for your search		

Showing 0 to 0 of 0 entries Previous Next

7. On or about September 6, 2019, I went to the website <https://www.instagram.com/mkvcage/?hl=en>. Below is a true and accurate screenshot of a portion of how it appeared.



8. The Lumen database collects DMCA notices sent to entities such as Google and provides a searchable website at <https://www.lumendatabase.org/>. On Dec. 3, 2019 I searched the Lumen Database for DMCA notices under the name of

Defendant. Below are a true and correct copy of the results.

The screenshot shows a web interface with a blue header and a green 'Advanced Search' button. Below the button is a navigation bar with tabs: Topic, Sender, Principal, Recipient, Submitter, Tags, Country, and Language. The 'Sender' tab is selected. Below the navigation bar, a message states: 'Filtering results using the above drop-down menus will change the listed results but not the lister'. Below this, it says 'Found 2 results' and 'Sort by: Most Relevant'. Two identical search results are listed, each with the title 'DMCA (Copyright) Complaint to Google' in purple. The details for each result are: 'Date Received: March 25, 2018', 'Reported to Lumen: March 25, 2018', and 'Muhammad Faizan Athar'. A red arrow points from 'Muhammad Faizan Athar' to 'Google LLC'. At the bottom of each result, it says 'DMCA NOTICES, COPYRIGHT'.

9. On or around September 1, 2019, I visited the Facebook site at <https://www.facebook.com/Themkvcage/> which advertised, promoted, marketed and distributed torrent files under the username MKCAGE for the purpose of watching free movies.

10. On or around September 23, 2019, I visited the website REDDIT and read a discussion thread regarding MKVCAGE and this litigation. https://www.reddit.com/r/torrents/comments/d2b9o6/mkvcage_down/. The comments point to other messages that Faizan himself posted on REDDIT.

I declare under the penalty of perjury that the foregoing is true and correct.

DATED: Kailua-Kona, Hawaii, February 7, 2020.

CULPEPPER IP, LLC

/s/ Kerry S. Culpepper
Kerry S. Culpepper

Attorney for Plaintiff